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12 UNITED STATES BANKRUPTCY COURT

13 DISTRICT OF NEVADA

15 In re:

16 NEVADA CANCER INSTITUTE, a Nevada
17 nonprofit corporation,¹

18 Debtor.

Case No. 2:11-bk-28676 (MKN)

Chapter 11

18 **STIPULATION RESOLVING OBJECTION**
19 **TO ADMINISTRATIVE EXPENSE**
20 **ASSERTED IN CLASS PROOF OF CLAIM**
21 **FILED BY SHAMINE POYNOR (CLASS**
22 **NO. 148)**

Hearing Date: May 2, 2012

Hearing Time: 11:00 a.m.

27 ¹ The Debtor's address and last four digits of its Federal Tax I.D. are: 10530 Discovery
28 Drive, Las Vegas, NV 89135 [EIN XX-XXX2553].

1 administrative expense asserted in Claim No. 148, and reserving all rights as to the general
2 unsecured claim asserted in Claim No. 148.

3 G. On April 18, 2012, Ms. Poynor filed *Plaintiff's Response in Opposition to Debtors'*
4 *Objection to Administrative Expense Treatment of WARN Class' Attorneys Fees and Expenses*
5 [Docket No. 516] ("Poynor Opposition"), opposing the Administrative Expense Objection.

6 H. The Debtor and Ms. Poynor have conferred regarding the Administrative Expense
7 Objection and the Poynor Opposition and determined, in an effort to minimize the costs and risk
8 associated with litigation of the issues raised therein, to resolve the Administrative Expense
9 Objection and Poynor Opposition as set forth below.

10 STIPULATION

11 NOW, THEREFORE, the Debtor and Shamine Poynor hereby stipulate and agree to the
12 following:

13 1. The WARN Class shall have an allowed administrative expense in this case under
14 Bankruptcy Code section 503(b)(1) in the amount of \$3,000. This administrative expense shall
15 constitute the only allowed administrative expense of Ms. Poynor and the Class in this case, and all
16 other administrative expenses that have been or may be asserted by Ms. Poynor and the Class are
17 hereby disallowed.

18 2. The provisions of Paragraph 1 of this Order are without prejudice to the right of Ms.
19 Poynor or the Class to seek allowance of a general unsecured claim for the balance of fees and
20 expenses incurred in connection with Claim No. 148, and without prejudice to any objection that
21 the creditor trust, to be created under the Plan, may assert with respect to such fees and expenses
22 and any other general unsecured claim asserted in Claim No. 148.

23 3. The Debtor shall satisfy the \$3,000 administrative expense allowed in Paragraph 1
24 by dispatching payment thereof to WARN Class Counsel, Outten & Golden LLP, within five (5)
25 business days of the entry of an order approving this Stipulation.

26 4. The Court shall retain exclusive jurisdiction over the subject matter of this
27 Stipulation in order to resolve any dispute in connection with the rights and duties specified
28 hereunder.

1 5. This Stipulation may be executed in original or facsimile signature and in
2 counterpart copies, and this Stipulation shall be deemed fully executed and effective when all
3 parties have executed and possess a counterpart, even if no single counterpart contains all
4 signatures.

5
6 STIPULATED AND AGREED TO BY:

7 Dated: April 25 2012

NEVADA CANCER INSTITUTE

8 By: 

9 George D. Pillari

Chief Restructuring Officer and President

10
11 Dated: April __, 2012

SHAMINE POYNOR

12 By: _____

13 René S. Roupinian

14 Outten & Golden LLP

15 3 Park Ave, 29th Floor

16 New York, NY 10016

17 Counsel to Plaintiff and the Certified Class
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7 Dated: April __, 2012

NEVADA CANCER INSTITUTE

8 By: _____

9 George D. Pillari

Chief Restructuring Officer and President

10
11 Dated: April 25, 2012

SHAMINE POYNOR

12 By: _____

13 Rene S. Roupinian

Outten & Golden LLP

14 3 Park Ave, 29th Floor

15 New York, NY 10016

16 Counsel to Plaintiff and the Certified Class
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